

### REMARKS

Claims 9-23 are now pending, with claim 9 being the sole independent claim. Independent claim 9 has been amended. Support for the amendment may be found, for example, at paragraph [0011] of U.S. Pub. No. 2007/0282795A1 (i.e., the original application). No new matter has been added. Reconsideration of the application, as amended, is respectfully requested.

In the Office Action mailed August 19, 2008, the Examiner required under 37 C.F.R. §1.72(b) that an Abstract on a separate sheet be filed (Office Action, page 2). Applicants note that the present application is a U.S. national stage application of international stage PCT application No. PCT/US05/10088, a published pamphlet version of which was included in the filing papers of this national stage application as WO 2005/098675. The abstract appeared on the cover sheet of the published pamphlet version of the PCT application. As stated at §1893.03(e) of the MPEP (emphasis added):

When the international application is published as the pamphlet, the abstract is reproduced on the cover page of the publication, even though it appears on a separate sheet of the international application in accordance with PCT Rule 11.4(a). Thus the requirement of 37 C.F.R. §1.52(b) that the abstract “commence on a separate sheet” does not apply to the copy of the application (pamphlet) communicated to the designated Offices by the International Bureau under PCT Article 20. Accordingly, it is improper for the examiner of the U.S. national stage application to require the applicant to provide an abstract commencing on a separate sheet if the abstract does not appear on a separate sheet in the pamphlet. Unless the abstract is properly amended under the U.S. rules during national stage processing, the abstract that appears on the cover page of the pamphlet will be the abstract published by the USPTO under 35 U.S.C. §122(b) and in any U.S. patent issuing from the application.

Therefore, in the present national stage application, the filing of the original Abstract on a separate sheet is not necessary. Withdrawal of the objection is respectfully requested.

Claims 15, 17 and 22 stand rejected under 35 U.S.C. §112, 2<sup>nd</sup> ¶, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

According to the Examiner, “the term translating” in claims 15 and 17 “is not defined” and is, therefore, indefinite. Applicant disagrees.

Paragraphs [0018], [0021], and [0033] of the original application explicitly and consistently employ this term in its plain meaning. For example, in paragraph [0018] the term “translated” is used in the context of transforming information into a complex query based on certain available information. Paragraph [0021] describes that bids are transformed into commercial listings and appear side-by-side with search-engine-generated free search results. Paragraph [0033] discloses that a match of new data to the static queries may be translated into a web link. It is respectfully submitted that the term “translate” is no more vague than commonly used terms such as, for example, “analyze” or “determine”, which are well understood by the skilled person. The specification therefore provides a clear definition of the term “translating” such that the skilled person is reasonably apprised of the scope of the claimed invention.

The Examiner asserts that the limitation “specific format” is not defined by claim 22. Paragraph [0014], lines 1-7 of the original application explains that “FIG. 1 is an exemplary schematic block diagram illustrating the interaction between different elements of an information exchange in accordance with the invention; related parties or other systems that have expressed an interest in being notified of the type of published information as it becomes available. RSS is an XML format for sharing headlines and other web content”. Therefore, a definition of the specific type of information is included in the specification such that the skilled person is

reasonably apprised of the scope of the claimed invention. In view of the foregoing, reconsideration and withdrawal of the rejections are requested.

Claims 9-12, 16, 20, 22 and 23 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Pub. No. 2002/0184200A1 ("*Ueda*"). Claims 13, 14, 19 and 21 are rejected under 35 U.S.C. §103(a) as obvious over *Ueda* in view of U.S. Pub. No. 2002/0029186A1 ("*Roth*"). For the following reasons, it is respectfully submitted that all claims of the present application are patentable over the cited references.

Independent claim 9 has been amended to recite the step of "entering and storing search queries as static queries in a system database, which are used for retrieving information pertaining to the static queries from the Internet, said static queries being input from users or subscribers to the information exchange". Support for the amendment may be found, for example, at paragraph [0011] of the original application. No new matter has been added.

*Ueda* discloses a location-based information intermediation and acquisition method in which an intermediation computer system on a network intermediates location-based information provided on the network and synchronizes with a mobile communication terminal (see paragraph [0018]). However, *Ueda* fails to teach or suggest *at least* the step of "entering and storing search queries as static queries in a system database, which are used for retrieving information pertaining to the static queries from the Internet, said static queries being input from users or subscribers to the information exchange", as recited in now amended independent claim 9. *Ueda* (paragraph [0134]) describes authenticating a mobile communication terminal by the intermediation computer system using passwords and registration procedures. However, there is nothing in *Ueda* with respect to the subject matter of now amended independent claim 9.

In view of the foregoing, amended independent claim 9 is patentable over *Ueda*. Reconsideration and withdrawal of the rejection under 35 U.S.C. §102 are therefore requested, and a notice to that effect is earnestly solicited.

*Roth* discloses a system for providing advertisements from a central server to viewers who access website. The central server stores both advertisements which are to be displayed and an information data base. The data base includes information about viewers, information about the characteristics of particular web sites and other information relevant to which advertisements should be displayed for particular viewers (see Abstract). However, *Roth* also fails to teach or suggest *at least* the step of “entering and storing search queries as static queries in a system database, which are used for retrieving information pertaining to the static queries from the Internet, said static queries being input from users or subscribers to the information exchange”, as recited in the presently amended independent claim 9. Based on the aforementioned reasons, *Ueda* and *Roth*, individually or in combination, fail to teach or suggest the limitations of now amended independent claim 9 because *Roth* fails to provide what *Ueda* lacks.

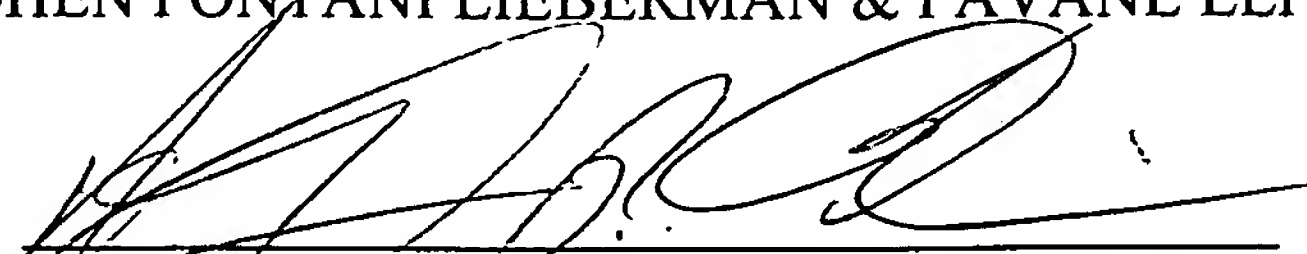
In view of the patentability of amended independent claim 9 for the reasons set forth above, dependent claims 13, 14, 19 and 21, as well as dependent claims 15, 17 and 18, are each patentable over the cited prior art. Reconsideration and withdrawal of the rejection under 35 U.S.C. §103 are therefore requested, and a notice to that effect is earnestly solicited.

Based on the foregoing amendments and remarks, this application is in condition for allowance. Early passage of this case to issue is respectfully requested.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,  
COHEN PONTANI LIEBERMAN & PAVANE LLP

By

A handwritten signature in black ink, appearing to read 'A. Collins', is written over a horizontal line.

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